CONCLUSIONS OF THE LII COSAC

Rome, 30 November - 2 December 2014

1. The Bi-annual Report

1.1. COSAC welcomes the issuance of 22nd Bi-annual Report prepared by the COSAC Secretariat and warmly thanks the Secretariat for its excellent work.

1.2. The Report provides useful information on EU Parliaments' proposals: a) on the mid-term review of Europe 2020, which will be completed in Spring 2015; b) on the future of the EU - focusing on significant innovations and new trends - and on the impact of the developments of the European integration process on EU Parliaments five years after the entry into force of the Lisbon Treaty; c) on EU Parliaments' role regarding EU relations with Mediterranean partners; d) on whether EU Parliaments have scrutinised the role, functions and accountability mechanisms of EU agencies.

2. New instruments and ideas aimed at involving national Parliaments in the EU decision-making process

2.1. COSAC welcomes the increasing engagement of national Parliaments in the European decision-making process. To this end, a special emphasis should be put on holding debates with their respective Governments before and/or after European Council meetings, and engaging in the political dialogue with the Commission early in the policy-formation process, with the aim of influencing their respective national positions. COSAC bi-annual meetings could also be convened shortly before European Council meetings.

2.2. COSAC notes that the majority of Parliaments/Chambers favoured the idea of creating new instruments aimed at better involving national Parliaments in the EU decision-making process without any need for formal Treaty changes. Among the ideas that could be further explored were the introduction of a possible "green card" procedure, to grant national Parliaments the ability to recommend new legislation, and the enhancement of the cooperation between national Parliaments and the European Parliament by means of a better structured political dialogue on legislative and non-legislative acts, that do not raise subsidiarity issues.

2.3. COSAC invites the European Parliament to take into account the opinions of national Parliaments on the substance of draft legislative acts and/or of other European documents under consideration.

2.4. COSAC notes that fourteen Parliaments/Chambers have developed specific tools or procedures with regard to stipulating intergovernmental treaties in the field of economic governance, and twelve Parliaments/Chambers have developed specific tools or procedures on the involvement of Parliaments in trade agreement negotiations. COSAC invites all other Parliaments/Chambers to make full use of their power vis-à-vis their respective Governments with regard to such issues, especially where the Transatlantic Trade and Investment Partnership (TTIP) negotiations are concerned.

3. More efficient use of subsidiarity checks

3.1. COSAC notes that most national Parliaments/Chambers consider subsidiarity checks an important tool, together with political dialogue, towards influencing the content of the EU policies and decisions. COSAC notes, however, that some Parliaments/Chambers view these checks as not fully satisfactory. Future COSAC Presidencies are invited to explore further arrangements to make such checks more effective.

3.2. Taking into account the replies to the 22nd Bi-annual Report, Parliaments/Chambers suggest that a more efficient use of subsidiarity checks may be achieved, among others, by:

- prioritising proposals selected from the Commission's Annual Work Programme before 31st January;
- giving out early information on the findings of other Parliaments/Chambers, especially through IPEX and the network of national Parliament representatives in Brussels.

4. Voting of COSAC's Contribution and Conclusions

4.1. Taking into account the draft letter circulated by some Parliaments/Chambers on the occasion of the Chairpersons Meeting held in Rome on 18 July 2014, after an analysis by the Presidency, with the assistance of the Secretariat, the document on practices regarding voting on Contributions, drafted by the Permanent Member of the COSAC Secretariat in 2012, has been updated.

CONTRIBUTION OF THE LII COSAC
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1. Mid-term review of Europe 2020 Strategy

1.1. COSAC views the mid-term review of Europe 2020 Strategy as a key step towards supporting recovery from the economic and financial crisis and making full use of the European economies' potential for growth and employment by restoring the confidence of EU citizens and businesses as well as that of markets.

1.2. Taking into account the progress achieved on the implementation of Europe 2020 goals, COSAC is of the opinion that a renewed Europe 2020 Strategy should pursue the following objectives:

a) contribute to ensure a better alignment of the real and financial economies;

b) strengthen the goals on employment, poverty and social exclusion and take urgent additional measures in these fields, taking into account that the implementation has been so far largely unsatisfactory;

c) use social indicators, as set out in the Alert Mechanism Report, to monitor negative social outcome and to promote positive measures on poverty, equality and social inclusion;

d) improve the governance of Europe 2020 with the aim of better coordinating the goals and targets of the EU growth strategy within the European Semester and of achieving a better balance between fiscal constraints and the growth and competitiveness agenda, regarding targets, guidelines, initiatives and country specific recommendations. To that end, the Single Market and Industrial Competitiveness priorities should be integrated within the European Semester;

e) develop, where feasible, additional indicators with a qualitative dimension rather than the current one dimensional numerical targets, e.g. a "job quality" indicator which would help to identify the numbers of the working poor;

f) move away from a 'one size fits all' approach in achieving targets and addressing regional disparities between, and within Member States, which is vital in order to prevent growing regional inequalities;

g) improving the "ownership" of Europe 2020, at regional level, by strengthening its region-oriented dimension.

h) recognise that Member States will fail to deliver the strategy targets if implementation is centre driven with a top-down and non-inclusive approach and that this is a weakness of the Strategy.

1.3. COSAC is convinced that the review of Europe 2020 will be more effective if carried out within the framework of a general EU strategy aiming both at achieving higher growth rates in all European countries and at lessening the currently growing wealth imbalances within the EU. To that end, it is essential to support the aggregate demand and to supplement growth-friendly fiscal consolidation measures while making use of the flexibility clauses set out in the Stability and Growth Pact (SPG), at least by the Member States which are able to do so.

1.4. To this end, COSAC welcomes the commitment of the European Council (Conclusions of 23-24 October) for a prompt implementation of the guidelines set out in the Strategic Agenda for the Union in Times of Change, in particular those relating to jobs, growth and competitiveness and those aimed at empowering and protecting its citizens. It fully supports the invitation from the European Council to the Commission, the Council and the Member States to translate this approach into concrete policy actions.

1.5. COSAC fully supports the new Commission's intention to launch an initiative mobilising 300 billion euro in additional public and private investment over the period 2015-2017. It welcomes the establishment of a Task Force, led by the Commission and the European Investment Bank, in charge of identifying the concrete actions that are needed to boost investment. These include a pipeline of potentially viable projects of European relevance, to be launched shortly or over the medium term. In this respect COSAC calls on EU Institutions to take this investment initiative forward without delay. At the same time, COSAC points out that the abovementioned plan could not be sufficient on its own to achieve the goals enshrined in the Europe 2020 Strategy. Consequently, an increase of the resources earmarked for the implementation of the Strategy should be considered on the occasion of the mid-term review of the Multiannual Financial Framework 2014-2020.

1.6. COSAC calls for public expenditure related to the implementation of programmes co-financed by the European Structural and Investment Funds to be completely excluded from the definition of Stability and Growth Pact structural deficits, because this expenditure is devoted to achieving the goals of Europe 2020 and supporting competitiveness, growth and job creation, especially where youth employment is concerned.

2. Future of the EU - EU Institutions and Parliaments

2.1. COSAC notes that a majority of national Parliaments/Chambers has given a positive assessment of the implementation of Lisbon Treaty provisions conferring new powers on national Parliaments, believing that

these provisions have been applied in the best possible way, with a positive impact on the good functioning of the Union, especially with reference to the information provided by EU institutions, the participation in interparliamentary cooperation, and subsidiarity checks.

2.2. COSAC notes that some Parliaments/Chambers have pointed out an excessive use of delegated acts by the European Commission, while others have stressed that essential elements should not be the subject of a delegation of powers and that the interpretation of the concept of "duration of the delegation of powers" should not lead to a delegation of power unlimited in time. In the view of some Parliaments/Chambers, such practices could deprive national Parliaments of their power, conferred by the treaties, to scrutinise any amendments to the provisions that were the object of delegation. The full involvement of the European Parliament in the procedure of objection to and revocation of power is seen as ensuring democratic control in all cases. Some Parliaments/Chambers have also asked that future delegations of power should not exceed a time limit of five years, with a tacit extension for one further five-year period, subject to presentation of a report by the European Commission.

2.3. COSAC supports the idea of *ad hoc* public consultations aimed at national Parliaments, including a dedicated section for national Parliaments' replies in the European Commission's summary report on the consultation. COSAC invites the European Commission to explore the possibility of creating such a dedicated section.

2.4. COSAC welcomes further efforts to ensure that early legislative agreements at the first reading in the framework of the EU legislative process are more streamlined and leaner. Taking note of the criticism raised about the lack of transparency and insufficient scrutiny by national Parliaments on the ongoing negotiations in the trilogue phase, it invites all EU Institutions to take these concerns into account. If a proposal is significantly altered during interinstitutional negotiations, COSAC invites national Parliaments to ask their respective Governments for detailed information and to scrutinise the amended proposal before agreement is reached in the Council.

2.5. COSAC notes that a majority of Parliaments/Chambers are in favour of creating new instruments aimed at involving national Parliaments in EU decision-making without any formal Treaty changes. The most recurring ideas – a complete list of which is included in the 22nd Bi-annual Report – include a possible "green card" procedure, enhanced political dialogue, scrutiny/consideration of draft trade agreements and improvements of the "yellow card" procedure. COSAC could take these ideas as a starting point for further discussion on the ways how to foster further interparliamentary cooperation.

2.6. COSAC invites EU Institutions and Member States to open a discussion on a stronger role for the European Parliament and national Parliaments, taking into account the complementary role and the institutionalised link between European and national levels and in view of the fact that participation of national Parliaments in the EU decision-making has not yet been fully integrated into the debate on democratic legitimacy and a better functioning of the European Union.

2.7. COSAC fully supports the enhanced participation of EU Parliaments in interparliamentary cooperation as foreseen in the treaties, pointing out that this has enabled policy-makers to effectively scrutinise the most relevant EU dossiers. Besides, interparliamentary cooperation has enhanced the ability of national Parliaments to monitor national Governments and has proved to be an important tool for qualitative and in-depth involvement of national Parliaments in the EU decision-making process. In this context, it is crucial for all Parliaments to work together to target the issues to be brought up for discussion and to make more effective, if envisaged, the conclusions to be adopted with reference to dossiers under consideration by the EU legislature.

2.8. COSAC notes that there is no debate on further development of the European integration process on the agenda of most Parliaments/Chambers; COSAC however notes that some Parliaments/Chambers take a positive view thereon, including in a federal perspective, and that others oppose such a process.

3. The role of the EU in the Mediterranean and in Eastern Europe

3.1. COSAC notes that the European Neighbourhood Policy and its development constitute Union's long-term strategic priority, whereby both the Mediterranean and the Eastern partnership are the key elements.

3.2. COSAC notes that the Mediterranean and the Middle East are areas of strategic relevance for the EU and its Member States; it considers that after the rightful and necessary emphasis placed on Northern and Eastern enlargement over the last twenty years, it is now essential to re-establish the strategic priority of the Union's Southern border; it underlines that the presence and visibility of the Union should be further enhanced through credible provision of assistance to our regional partners, in the framework of the Neighbourhood Policy, with particular emphasis on supporting domestic reforms, strengthening democratic institutions, promoting sustainable and inclusive growth and involving the civil society, in compliance with the principle of shared ownership and responsibility.

3.3. COSAC welcomes the Commission's Communication "*A Partnership for democracy and shared prosperity with the Southern Mediterranean*", of March 2011, including the roadmap for its implementation, as well

as the Communication of March 2014 entitled "*Neighbourhood at the crossroads*"; underlines that the neighbourhood policy should be constantly updated in view of the ongoing political and socio-economic developments in the region and, for this purpose, welcomes the strengthening, in the structure of the new European Commission, of the coordination between the High Representative and the Commissioner responsible for neighbourhood policy, and between their respective staffs, and hopes for better coordination between national and EU policies.

3.4. COSAC welcomes Commission's Communication of 8 October 2014 on the European Union Enlargement Strategy and Main Challenges 2014-15, noting the progress made by the countries of the Western Balkans in the area of European integration, and stresses the importance of continuation of the enlargement policy as an important contribution to the implementation of internal reforms in candidate and potential candidate countries.

3.5. COSAC welcomes the recent revitalisation of programmes and initiatives developed in the framework of the Union for the Mediterranean and underlines their complementarity with the support measures included in the Neighbourhood Policy and their capacity to attract and involve many public and private players. COSAC also notes that cooperation among Member States and countries of the Mediterranean area may be supplemented with new partnership paradigms, attaching priority to a thorough common approach that goes beyond bilateralism and decentralised cooperation, so as to enhance the sub-national level and involve the civil society and all relevant stakeholders (Associations, Universities, NGOs), with the necessary flexibility so as to ensure the feasibility of programmes. In this framework, cultural projects and projects for the new generations should be given priority.

3.6. COSAC expresses concern for the risks of further destabilisation in Libya and stresses the need to preserve its territorial integrity and national unity; for the security threat posed by the self-declared Islamic State in Iraq and the Levant (ISIL); for the recent escalation of the conflict in the Middle East, at the same time encouraging both Israelis and Palestinians to re-engage in negotiations for a final agreement based on a two-State solution; for the stalled negotiations for a peaceful solution to the conflict in Syria. COSAC invites the Union to develop joint, politically strong and effective answers, so as to strengthen a commitment towards the development of a new and updated regional security strategy.

3.7. COSAC stresses that the escalating and continuing instability in the Mediterranean area makes the development of an EU migration policy implementing the principles of solidarity and burden sharing – also at financial level – among Member States under Article 80 of the TFEU even more compelling; welcomes the Conclusions adopted by the Council on 10 October 2014 on "*Taking action to better manage migratory flows*" and urges Member States and the European institutions to fully implement them. In this regard, COSAC supports the three pillars outlined, based on: cooperation with third Countries with a specific focus on the fight against smugglers and traffickers in human beings, strengthening the ability of FRONTEX to respond in a flexible and timely manner to emerging risks and pressures, and thorough and consistent implementation of the Common European Asylum System, also through increased operational cooperation. COSAC emphasises, in this context, the need to support the new European initiative "Operation Triton", which accounts for a natural development of the successful "Mare Nostrum" experience implemented by the Italian Government and the need to ensure effective support for countries (most notably Turkey, Lebanon and Jordan) bearing the brunt of the inflow of new refugees from Syria.

3.8. COSAC expresses serious concern about the renewed tensions in the Eastern Mediterranean and calls on Turkey to respect the sovereign rights of the Republic of Cyprus in its Exclusive Economic Zone. COSAC also wishes that progress be achieved in the UN-led negotiations for the solution of the Cyprus problem according to the relevant UN Resolutions and the values and principles of the European Union.

3.9. COSAC reaffirms the importance of the EU's Eastern Partnership Policy. Democratisation, modernisation and the outlook for a true Eastern Partnership remain essential for the EU and its Member States; whilst taking into account the regional differences in development and the resulting different capability to fully engage in the processes. COSAC also acknowledges the need for reviewing and renewing the aims of the Eastern Partnership defined in the Joint Declaration of the Prague Eastern Partnership Summit.

3.10. COSAC welcomes the recent parliamentary elections in Ukraine. The elections marked an important step in Ukraine's aspirations to consolidate democratic elections in line with its international commitments. COSAC also welcomes the provisional application of important parts of the EU-Ukraine Association Agreement as of 1st November 2014; this will be a key instrument for carrying out the much-needed reforms in Ukraine in the years to come, underpinned by the EU's support. A reinvigorated reform process, including the launching of a country-wide national dialogue, will be crucial in view of Ukraine's political association and economic integration with the EU and in order to consolidate Ukraine's unity and internal cohesion.

3.11. COSAC condemns Russia's military intervention in Ukraine; calls on Russia to take concrete steps to de-escalate the crisis in Eastern Ukraine by stopping the movement of armed combatants and weapons across

the Russian-Ukrainian border, by distancing itself from the activities of armed separatists in the Eastern regions of Ukraine and fully respecting the territorial integrity and sovereignty of Ukraine.

3.12. COSAC calls on EU institutions and Member States parliaments to establish clear criteria for addressing further application or lifting of sanctions against the Russian Federation, in accordance with the conclusions of the 5-7 November Inter-Parliamentary Conference for the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP); among others, these criteria shall include complete withdrawal of the Russian armed forces from the occupied territories of Ukraine and from the Ukrainian border region, and re-affirmation of the territorial integrity of Ukraine, both in Crimea and in the Eastern Regions.

3.13. COSAC calls on Russia to resume its role as EU's strategic partner, in a renewed, peaceful regional environment. It is crucial, for the regional and global medium and long-term political and economic stability, that the Russian Federation demonstrate its efforts to have a cooperative and constructive relationship with the EU.

4. EU Agencies and national Parliaments

4.1. COSAC underlines the important role that EU agencies can play in implementing EU policies in various fields, in conducting independent surveys and in providing evidence-based assistance and expertise to EU institutions and Member States, thereby helping the institutions to concentrate on core policy-making tasks and contributing to enhance the cooperation between Member States and the EU in key policy areas.

4.2. COSAC notes that some Parliaments/Chambers expressed concerns in relation to the role and the functioning of some EU agencies, especially with reference to the lack of adequate oversight, governance and accountability, the risk of agency capture by sectoral interests, the usefulness or cost-effectiveness of agencies, their proliferation and a possible duplication of their activities, and would urge that these matters be given greater and the most detailed and transparent consideration before further agencies are proposed or established.

4.3. COSAC supports the European Parliament's call for the introduction of a legal basis to the establishment of agencies which may carry out the specific executive and implementing tasks conferred upon them by the European Parliament and the Council in accordance with the ordinary legislative procedure.

4.4. COSAC considers the current mechanisms making agencies accountable to the European Parliament adequate, although it is essential that instruments enabling national Parliaments to monitor such agencies should be explored.

4.5. COSAC notes that to date, only some national Parliaments make use of information or expertise provided by EU agencies in the framework of their activities under the form of studies, reports, statistics, or in the framework of formal and informal meetings. The relations between national Parliaments and EU agencies should be further improved by enhancing contacts and cooperation, and by encouraging EU agencies to inform national Parliaments as widely as possible on their activities and work programme.